



South Carolina Department of Health
and Environmental Control

Bureau of Water
Division of Water Quality
2600 Bull Street
Columbia, SC 29201

Dear Sir/Madam:

Enclosed please find an application for a State of South Carolina permit for proposed construction activity within South Carolina navigable waters.

The application consists of two parts: (1) a written part describing the project, its intended use and other particulars, and (2) actual drawings to be furnished by you containing specific data relative to your project, its location, and the affected watercourse. Also enclosed are instructions to be followed in preparing the referenced drawings. Please follow the instructions carefully and furnish all of the requested information to avoid delays in processing your application.

Upon receipt of your completed application, the South Carolina Department of Health and Environmental Control will distribute your application as a public notice to various State and Federal agencies for review. Once the comment period (typically 30 days) has ended we will review all comments received and prepare a written assessment. We will then issue a Notice of Proposed Decision (NOPD) to interested parties. This NOPD will have a 15 day comment period during which time all aggrieved parties have rights to appeal the NOPD. If no appeals are received, we will issue the final Construction in Navigable Waters Permit.

If you have questions regarding this application, please contact Jeff Havel at (843) 448-1902.

Sincerely,

M. Rheta Geddings, Manager
Water Quality Certification, Standards,
and Wetlands Programs Section



South Carolina Department of Health
and Environmental Control

Bureau of Water
Division of Water Quality
2600 Bull Street
Columbia, SC 29201

Permit Application For
Construction in Navigable Waters
(Please Type or Print in Ink)

1. Applicant

Authorized Agent

Name _____

Address _____

Telephone _____

2. Location where proposed activity exists or will occur.

County: _____

Nearest City or Town: _____

Nearest Street or Road: _____

Name of Waterbody: _____

Latitude: _____ Longitude: _____

One set of original drawings which show the location and character of the proposed activity must be attached to this application (see instructions).

3. Describe the proposed activity, its purpose and intended use, including a description of the type of structures, and the type, composition and quantity (cubic yards) of materials to be deposited or excavated and means of conveyance.

4. Proposed Use (Circle One).

Private

Public/Commercial

Other _____

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5. Please list the names and mailing addresses of all adjoining property owners whose property also adjoins the water way. Applications submitted without the addresses of adjoining property owners will be returned as incomplete.

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6. Affidavit of publication describing the proposed activity in a newspaper of general circulation in the county where the encroachment is sought must be attached to this application. Certification may be an affidavit of publication or dated newspaper clippings. See the attached Public Notice Requirement page (**Attachment A**) for more information.

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7. Evidence of ownership or the consent of the owner of the adjacent highland on which any part of the projected activity will be located must accompany this application. The attached form entitled "Affidavit of Ownership or Control" (**Attachment B**) is to be used for this purpose. The affidavit is to be completed, **notarized** and returned as a part of this application.

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8. Date activity is proposed to begin:
Date activity is expected to be completed:

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9. Is any portion of the activity for which authorization is sought now complete? Yes ____ No _____. If the answer is "Yes", give the reasons in the remarks section (question 12). Please give the month and year the activity was completed _____. Indicate all existing work on the drawings.

10. List all approvals or certifications required by other Federal, Interstate, State, or local agencies for any structures, construction, discharges, deposits or other activities described in this application.

Issuing Type
Agency Approval

Identification
Number

Date of
Application

Date of
Approval

11. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein?

Yes ____ No _____. (If the answer is "Yes" explain in the remarks section, #12).

12. Remarks:

13. Construction of authorized structures must generally be completed within three (3) years of the date of permit issuance. Applicants requesting longer term permits must indicate the requested term and justification below.

Requested term:

Construction: _____ years

Justification: (Attach additional pages if necessary)

14. Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities.

Signature of Applicant

Date
or
Authorized Agent

Please return the completed application and all attachments to:

South Carolina Department of Health and Environmental Control
Waccamaw EQC District Office
Attention: Jeff Havel
1705 Oak Street Plaza, Suite 2
Myrtle Beach, SC 29577
843-448-1902

INSTRUCTIONS FOR COMPLETING DRAWINGS

1. All drawings must be on 8.5"x 11" white paper.
2. All drawings must be in **BLACK INK**.
3. Please place the applicant's name on all drawings.
4. Drawings must include:
 - a) a general location map
 - b) a specific vicinity map (names/numbers of roads to get to the project site)
 - c) a plan view of all proposed work
 - d) a cross section view of all proposed work
5. Indicate existing structures, adjoining property owners, and any other pertinent features on all drawings.

ATTACHMENT A

CONSTRUCTION IN NAVIGABLE WATERS PERMIT PUBLIC NOTICE REQUIREMENT

*** Before the Department can act on your application for Construction in Navigable Waters Permit **you** must publish notice of the application in a newspaper of general or local circulation. Details of this requirement follow.

*** Pursuant to R. 19-450, Permits for Construction in Navigable Waters, a notice in the newspaper must contain information explaining the location, nature, and extent of the proposed activity. The notice must indicate a 15 day comment period and be published in a newspaper of local or general circulation in the county where the activity is proposed to take place for **one** day. You must provide SCDHEC with an affidavit of publication from the newspaper within fifteen days of publication. **You must publish the following notice and submit an affidavit of publication before SCDHEC can continue processing your application.**

PUBLIC NOTICE

(Applicant) has applied to the South Carolina Department of Health and Environmental Control for a Construction in Navigable Waters Permit to (brief description of work) for (public/private) use in (name and location of waterbody). Comments will be received by South Carolina Department of Health and Environmental Control at 2600 Bull St., Columbia, SC, 29201, ATTN: Rheta Geddings, Division of Water Quality, until (insert date - 15 days from date of this notice).

** If you have questions regarding these requirements, please contact Jeff Havel at 843-448-1902. **

ATTACHMENT B

AFFIDAVIT OF OWNERSHIP OR CONTROL

TO THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL:

(1) **[THIS PARAGRAPH SHALL BE COMPLETED BY THE RECORD OWNER]** I hereby swear (or affirm) that I am the record owner of the highland property shown in the attached permit application situated in _____ County, South Carolina; and that said property is all of the property that is contiguous to and landward of the area in which the work proposed in the permit application is to be conducted. Furthermore, I swear (or affirm) that as record owner I have the necessary approval or permission from all other persons with a legal interest in said property to conduct the work proposed in the permit application.

STATE THE NAME AND ADDRESS OF ALL OTHER PERSONS WITH A LEGAL INTEREST IN SAID PROPERTY:

(2) **[THIS PARAGRAPH IS TO BE COMPLETED BY THE RECORD OWNER IF THE PERMIT APPLICANT IS NOT THE SAME PERSON AS THE RECORD OWNER]** I hereby swear (or affirm) that the applicant, _____, for the permit which is the subject of the attached permit application has been given the necessary approval and permission from me to conduct the work proposed in the permit application.

(3) **[THIS PARAGRAPH TO BE COMPLETED IF THE PERMIT APPLICANT IS A RECORD EASEMENT HOLDER]** as the record easement holder I hereby swear (or affirm) that I am the record easement holder of the highland property shown in the attached permit application situated in _____ County, South Carolina; and that said property is all of the property that is contiguous to and landward of the area in which the work proposed in the permit application is to be conducted, and the easement is sufficient to authorize the work proposed in the permit application. The easement relied upon was granted to me by (name of grantor) _____ on (date) _____, and the easement is recorded in the office of the Clerk of Court or Register of Mesne Conveyance for the County of _____ in Book _____, at Page _____.

NOTE! A copy of the easement relied upon by the permit applicant must be attached to this affidavit at the time the affidavit is submitted to the S.C. Department of Health and Environmental Control.

This Affidavit applies only to highland and does not apply to any area below mean high water in tidelands or ordinary high water in non-tidal waters.

Affiant's Signature

Date

Sworn to and subscribed before me at _____,

_____ County, this _____ day of _____, 19____.

Notary Public

My Commission expires:_____.